

ENTERED

July 03, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ADRIAN AGUILAR,

Petitioner,

VS.

BOBBY LUMPKIN, *et al.*,

Respondents.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 4:23-CV-01418

MEMORANDUM AND ORDER

This case is before the Court on Petitioner Adrian Aguilar's motion to alter or amend the judgment.

I. Background

Aguilar was convicted of murder and sentenced to a 99-year term of imprisonment. He filed a petition for a writ of habeas corpus. This Court dismissed the petition, finding that the petition was barred by the statute of limitations.

II. Analysis

A motion to alter or amend under Fed.R.Civ.P. 59(e) "must clearly establish either a manifest error of law or must present newly discovered evidence." *Schiller v. Physicians Resource Grp., Inc.*, 342 F.3d 563, 567 (5th Cir. 2003)(internal quotation marks omitted). "Relief under Rule 59(e) is also appropriate where there has been an intervening change in controlling law." *Id.*

Aguilar disagrees with this Court's reasoning and analysis of the limitations issue but does not identify any manifest error or newly discovered evidence weighing on that analysis. He therefore fails to demonstrate grounds for relief under Rule 59(e).

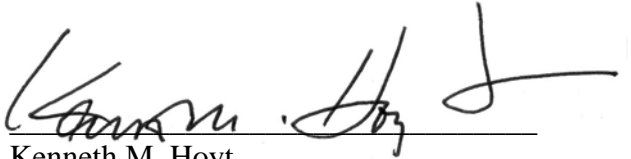
III. Order

For the foregoing reasons, Adrian Aguilar's Motion to Alter or Amend the Judgment (Doc. # 19) is DENIED. No Certificate of Appealability shall issue.

The Clerk shall notify all parties and provide them with a true copy of this Order.

It is so ORDERED.

SIGNED on July 3, 2025, at Houston, Texas.



Kenneth M. Hoyt
United States District Judge